

REMARKS

Applicant respectfully requests reconsideration of the present application based on the following remarks.

A central disagreement exists between Applicant and the Examiner with respect to the limitation "wherein the zoom system includes at least three substantially horizontally extending magnification or observation channels" which appears in independent claims 1 and 8 of the present application.

As the Examiner correctly points out, Applicant has not assigned any special definition to the word "channel" in his specification. This is because Applicant is using the word "channel" in its ordinary sense to mean a passage. This usage is evident from the specification, in particular at Fig. 2, which shows the zoom system of the present invention in cross-section wherein observation beams 20a through 20d are transmitted along observation channels or passages 7a through 7d, respectively.

The claim limitation is clear that the zoom system includes at least three channels. Therefore, in order to meet the claim limitation, the channels identified in US 2001/0010592 (Nakamura) must be part of the zoom system 22 of that reference. However, the "channels" identified by the examiner are all outside of (not included in) the zoom system 22. The Examiner has identified eyepieces 5, an assistant monocular 8, a photographing unit 9, a counter microscope 11, and an image monitor 12. None of these elements is included in the zoom system 22.

Nakamura clearly discloses a zoom system 22 including only two channels (passages). The fact that the two beams exiting the two channels of zoom system 22 are each divided for travel along other channels provided outside the zoom system 22 does not meet the claim limitation.

Applicant hereby incorporates by reference the arguments and remarks made in the Response to Office Action mailed May 11, 2006 as if same were fully set forth herein. The Examiner is respectfully asked to reconsider his interpretation of the Nakamura reference for reasons explained above.

Respectfully submitted,
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